



MEMORANDUM

TO: Parks and Recreation Board Members

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: May 19, 1994

SUBJECT: Town Lake Comprehensive Plan Review: Board Recommendation

On January 6, 1994, the City Council instructed the Parks Board, the Planning Commission and the Environmental Board to solicit public input, review and make recommendations by June 1994 to the City Council on the update of the Town Lake Comprehensive Plan including Zilker Park, Town Lake and the Colorado River Park. The Parks Board has conducted public hearings on the Colorado River Park, the Central Lake Corridor and Zilker Park. For each area, the Parks and Recreation Department presented a description of the provisions of the Plan, and recommended agreement or disagreement. At this meeting, the Parks Board is scheduled to formulate a recommendation to the City Council.

For your convenience, the staff recommendations are listed for each of the three sections of Town Lake.

Colorado River Park Recommendations (see pages 81-87 and page 35)

1) The Colorado River Park is recommended to benefit from the largest land acquisition and development investment in the Plan. A 210 acre expansion was proposed to create a major metropolitan park occupying the area between Montopolis Drive on the east, the Colorado River on the north, Krieg Field on the west, and a future extension of Lakeshore Drive on the south.

PARD Recommendation. Agree. In March 1993, the City approved a contract to purchase 250 acres to supplement the existing 56 acre park.

2) Extension of Lakeshore Drive between Pleasant Valley Road and Montopolis Drive is proposed to provide vehicular access to the new park.

PARD Recommendation. Agree. Lakeshore Drive is needed to provide access from the Montopolis neighborhood on the east, and from other areas on the west. Lakeshore Drive is not an approved CIP project but should be funded in the future. In the short run, the extension of Grove Boulevard would give access from the south through the Montopolis neighborhood. Grove

Boulevard is an approved CIP project and plans are complete, but sale of the bonds has not been approved.

3) Construction of a Performance Pavilion to accommodate city-wide theatre and musical events. The Pavilion is described as a 4,500-6,000 seats under a shelter and 7,000-10,000 seats on an amphitheater lawn. The Pavilion would include restrooms and concession stands.

PARD Recommendation. PARD supports the concept of an amphitheater but recommends a smaller capacity in order to avoid traffic and noise problems. Like the Zilker Hillside Theatre, the Colorado River Park amphitheater should be available for a variety of neighborhood and cultural performances.

4) For the amphitheater, construct permanent parking for 1400-1600 cars and temporary overflow parking for 2000 cars on an open field.

PARD Recommendation. PARD supports adequate permanent parking for a smaller audience, and encourages alternate transportation methods to avoid excessive paving in parkland.

5) All existing baseball diamonds at Kreig Field should remain in their current configuration.

PARD Recommendation. PARD agrees. In addition, the Montopolis Youth Sports Complex was approved in the 1992 Bond Election, and the east end of the Colorado River Park was selected by the Montopolis neighborhood as the appropriate location.

6) General recreation facilities should be developed in the southeastern portion of the park, to include activities such as picnic shelters, tables, barbecue pits, benches, a playscape, basketball, volleyball and disk golf. A portion of the area should be identified for Neighborhood Park use. Special events facilities should be developed for open-air dancing and festivals.

PARD Recommendation. PARD agrees. The particular list of general recreation improvements should be selected later in consultation with the neighborhood.

7) The north bank of the Colorado River between Longhorn Dam and the Montopolis Bridge should be designated as a Preserve.

PARD Recommendation. Twenty acres of land on the north bank, west of the Montopolis Bridge, is dedicated parkland and can be designated a nature preserve. Land adjoining the 20 acre tract on the north bank, if undisturbed and found to have natural features, should be acquired.

8) **Parks Board Recommendation.** Amend the Plan to include the Montopolis Youth Sports Complex.

Central Lake Corridor Recommendations (see pages 58-81 and 87-91)

For the purposes of this review, the Central Lake Corridor is identified as the all parkland on Town Lake, excluding Zilker Park and the Colorado River Park. The major Comprehensive Plan recommendations are listed in geographical sequence from east to west.

Longhorn Dam to I-35

9) Locate a sailing facility near Pleasant Valley Road to permit more water-based recreation.

PARD Recommendation. Agree, when sufficient user demand is demonstrated.

10) Alter the Fiesta Gardens traffic flow by establishing a new park road along the shoreline, connecting Canadian Street with Comal Street.

PARD Recommendation. Retain existing street access. The proposed road would disrupt the new ballfield complex at the end of Canadian Street.

11) Enhance the Fiesta Gardens area for neighborhood park activities.

PARD Recommendation. Agree.

12) Extend the trail on the south shore between I-35 and Lakeshore Drive.

PARD Recommendation. Agree.

I-35 to Drake Bridge

13) Acquire property south of River Street, and dedicate City's Street and Bridge Yard as parkland.

PARD Recommendation. Agree.

14) Develop a cultural facility in the Rainey Street area.

PARD Recommendation. Agree. The City is conducting a feasibility study of the conversion of Public Works Service Center #2 to a cultural center.

15) Complete trail access on south shore between Drake Bridge and I-35.

PARD Recommendation. Agree.

16) Develop neighborhood park activities on Town lake between East Bouldin and Blunn Creek.

PARD Recommendation. Agree.

17) Rehabilitate the Norwood House on its original site.

PARD Recommendation. Agree.

18) Create a promenade along Cesar Chavez/First Street between Shoal Creek and Waller Creek.

PARD Recommendation. Agree; the City has been awarded ISTEPA funds to build stairway connection from street to shoreline trail; future development should emphasize informal character of the lake.

Drake Bridge to MoPac Bridge

19) Continued use of Auditorium Shore for occasional special events should be complemented by measures to limit the noise and traffic impacts on adjacent neighborhoods.

PARD Recommendation. Agree.

20) Cultural institutions such as museums or theaters should be accommodated in the current location of the Coliseum and Daugherty Arts Center.

PARD Recommendation. Disagree; cultural facilities should be developed in conjunction with downtown civic development projects.

21) Surface parking around Palmer Auditorium should be replaced by a landscaped parking structure surrounding all but the lake side of the auditorium.

PARD Recommendation. Agree, if the City decides to retain the Auditorium in its present function.

22) Develop a lagoon between the Coliseum and Palmer Auditorium.

PARD Recommendation. Disagree. The lagoon should be deleted due to the high cost of maintenance.

23) The City power generating facility and the cooling water intake structure should be converted to a recreational or cultural use when they are no longer necessary for utility purposes.

PARD Recommendation. Agree.

24) Develop neighborhood park activities east of Austin High School, after suitable replacement of existing ball field and the Humane Society Animal Shelter.

PARD Recommendation. Since the present facility is under consideration for demolition and reconstruction, the Humane Society Animal Shelter should be relocated and the land converted to parkland. The recommendation to develop neighborhood park facilities in the vicinity should be deleted since the area is separated from the neighborhood by major traffic arterials.

MoPac Bridge to Red Bud Isle

25) Acquire the commercial properties between Eilers Park and Lake Austin Boulevard as they become available to provide higher visibility and access.

PARD Recommendation. Agree.

26) Preserve Red Bud Isle in a predominantly natural state.

PARD Recommendation. Agree.

27) The Plan recommends an enhanced transportation system for Town Lake, including trails, bikeways, strolling paths, a water taxi, and a tramway.

PARD Recommendation. PARD supports additional hike and bike trails, but recommends against implementation of a water taxi or tramway until clear community support is demonstrated.

28) The Plan recommends joint public-private development of the "Pecan Grove" area along Barton Springs Road for restaurants, specialty shops, exhibition spaces, amusement/entertainment features, special performance places accommodating music, dance and theater.

PARD Recommendation. A corridor of restaurants is being developed by private interests along Barton Springs Road. Additional public events facilities should not be located in the area due to crowded traffic conditions.

Zilker Park Recommendations (see pages 43-55)

29) Develop structured parking under the MoPac bridge.

PARD Recommendation. Agree, although the size of the structure should be determined at a future planning stage. Parking below MoPac should be developed in combination with Capital Metro Dillo service to the MoPac parking area, and to major destinations in Zilker Park.

30) Establish a tram system on a separate pathway between Zilker Park and the new Palmer Auditorium parking structure in order to link recreational, cultural and entertainment destinations in the vicinity.

PARD Recommendation. Delete the tram system from the Plan, in favor of a Dillo shuttle using existing roads.

31) Construct a bridge over Barton Springs Road to facilitate crossings by pedestrians and cyclists.

PARD Recommendation. Agree; a safe road crossing is necessary. The method, whether by bridge or tunnel, should be determined at a later planning stage. Also, the approved Barton Springs Road bridge underpass should be included in the Plan.

32) The intersection of Stratford Drive and Barton Springs Road should be moved west to reduce residential traffic through the park, and to re-orient the Botanical Garden access to the west.

PARD Recommendation. Agree.

33) Automobile traffic in the park is restricted to Barton Springs Road and the existing loop road in the park's southern half.

PARD Recommendation. Except for the Stratford Drive realignment, retain the existing park road system to allow vehicular access to both sides of Barton Springs Road. The intersections should be monitored and modified if necessary to maintain safety.

34) Construct strolling paths through the park to serve walkers who want to "get out of the fast lane", but not faster joggers and bicyclists.

PARD Recommendation. Delete the proposal, since it is impractical to enforce the separation of fast and slow traffic.

35) Endorse the current Austin Nature Center Master Plan, re-orienting access to the north and parking under MoPac. Vehicular access will be from the realigned Stratford Drive.

PARD Recommendation. Agree.

36) The Botanical Garden will develop new facilities within the current site encompassed by Barton Springs Road, Stratford Drive and MoPac, while exhibits not requiring security fencing will be placed on the open field between Stratford Drive and the lake.

PARD Recommendation. The present Botanical Garden area is available if new facilities are initiated, but the Botanical Garden Society has released its reservation of the open field by the lake.

37) Boat and food concessions should be permitted in the vicinity of the Nature Center or the Botanical Garden.

PARD Recommendation. A boat concession has been approved; a food concession should be deleted from the Plan, but any new concession may be considered in the normal concession process.

38) A water taxi will be introduced to the western end of Zilker Park.

PARD Recommendation. Eliminate the water taxi from the Plan.

39) Extend the Zilker Eagle route to the MoPac bridge area, and remove it from the children's playscape area.

PARD Recommendation. Agree; as well as providing a longer ride, the train can assist in moving people between destinations within the park.

40) Build a covered swimming pool, more parking, an accessible playscape, a hard-surface trail and an outdoor basketball court at McBeth Recreation Center to enhance the special populations program.

PARD Recommendation. Agree. A new accessible playscape has been approved; the other improvements should be developed as funding is available.

41) Retain the existing open space along Barton Springs Road for soccer fields and other open play, but move some of the fields to the south side of Barton Springs Road.

PARD Recommendation. Agree, but retain the soccer fields in their present location.

42) The open area north of the rock outcrop will be used as a outdoor performance site for low-amplification concerts and plays.

PARD Recommendation. Agree, but utilize the area only for low-noise events and when the Hillside Theatre is not available.

43) Renovate the Hillside Theatre.

PARD Recommendation. Agree; renovation plans are in progress.

44) Convert the current caretaker's home to a small restaurant.

PARD Recommendation. Eliminate from the Plan.


45) Relocate the maintenance facility.

PARD Recommendation. Agree.

46) Improve land east of Barton Springs Pool for neighborhood activities.

PARD Recommendation. Agree.

Please contact me if you require additional information.



Michael J. Heltz, AIA, Director
Parks and Recreation Department



MEMORANDUM

TO: Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: May 18, 1994

SUBJECT: Proposed Off-leash Area in Stacy Park

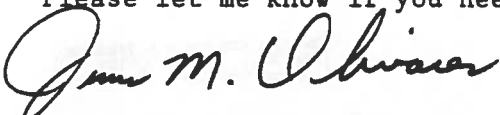
The City Council, on your recommendation, revised the ordinance regarding designation of off-leash areas for dogs so that such designation could be made by the Director of Parks and Recreation. In 1993, I received a petition from 240 persons requesting that Stacy Park be designated an off-leash area. After discussion with the proponents, I designated Stacy Park as an off-leash area.

In April, an incident involving a dog on a leash and a dog off-leash resulted in the death of the dog on the leash. In addition, my office had received a number of complaints about loose dogs. The neighborhood association (South River City Citizens) became involved as did Travis Heights Elementary School. The neighborhood association made a commitment to try to effect a compromise. Due to concerns for the safety of children, adults, and pets on leash in the area, I reinstated the leash requirement for dogs in the park pending a proposed compromise.

As the attached letters from the neighborhood association and the Principal of Travis Heights Elementary School indicate, an acceptable compromise has not been achieved. We have also received a letter from a member of the group that tried to achieve the compromise, which is also attached.

As a result, we are holding a public hearing on May 24 and an action item is posted on your agenda. Based on the concerns for the safety of all park users, the Department recommends that no area in Stacy Park be designated an off-leash area at this time.

Please let me know if you need additional information.

for 
Michael J. Heitz, AIA, Director
Parks and Recreation Department

TRAVIS HEIGHTS ELEMENTARY SCHOOL

2010 ALAMEDA • AUSTIN, TEXAS 78704 • (512) 442-5121



May 12, 1994

Mr. Mike Heitz
Director of Parks & Recreation
City of Austin
P.O. Box 1088
Austin, Texas 78767

Dear Mr. Heitz,

Travis Heights Elementary School serves more than 700 students with ages 4 years through 12 years. Our school is located on a small site (1.8 acres) in south central Austin and is directly adjacent to Stacy Park. For more than 55 years, Travis Heights has jointly used the park as the playground and physical education class location. It is my understanding that Mr. Stacy donated the park land with this use in mind. We continue this joint use today through various formal and informal agreements.

Recently much discussion has ensued over whether the leash law should be in effect in Stacy Park. I have been asked to write you concerning the position of the school on this matter.

Travis Heights Elementary's concern is for the safety and well-being of the children of this community. In particular, we are concerned about their safety during the school day; and because we are totally a "walking school", with their safety coming to school and going home.

Because we use the area directly behind the school for our physical education classes from 7:45-3:00 each day and on some days and in some seasons, use the fields for after- school sports activities of all types sponsored by numerous groups such as the Police Activities League and Parks & Recreation Department, we have very specific concerns about the safety of the students in this location and during these times.

During the period of time when the leash law was not in effect, we did experience a problem with dogs frightening children and interrupting their games and PE classes. Concerns were also expressed about the increased amount of animal excrement on the play area.

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However, realizing that the park is for the use of all citizens and that Travis Heights Elementary is but one stakeholder in the leash law discussions, the school welcomed the opportunity to be part of a committee that was being established to explore possible compromises. The school was gratified by the decision of the City of Austin to reinstate the leash law while this process could take place. We felt it quite prudent to be in the safest position possible while searching for consensus in this matter. Rhonda Hulett, our PTA President, graciously agreed to serve as the representative of the school.

It is my understanding that the work of this committee has not to date resulted in a compromise solution to the problem that has the support of all parties. Travis Heights Elementary believes that the following conditions must be present to protect the children of this community:

- * Areas of the park used for organized recreational & instructional purposes must remain leash areas.

- * Times when children are walking to and from school must be times when the leash law is in effect.

Unless such a compromise that includes these conditions can be worked out with the support of all stakeholders, the school will continue to support the position of the Parks & Recreation Department to continue enforcing the leash law in recognition of the safety concerns for our children.

Sincerely,

Marilyn Butcher

Marilyn Butcher, Principal
PTA Executive Board

CC: Addressees Attached

LETTERS

CITY OF AUSTIN COUNCIL MEMBERS:

BRIGID SHEA 4992258

MICHAEL "MAX" NOFZIGER, MAYOR PRO TEM 4992260

RONNEY REYNOLDS

GUS GARCIA

JACKIE GOODMAN

CITY OF AUSTIN MAYOR THE HONORABLE BRUCE TODD

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AUSTIN 78703

7/17/94

Merrell Foote
1709 Alta Vista
Austin, Texas 78704
441-2849 (home), 463-1282 (work)

May 15, 1994

Dear Mr. Heitz:

I am writing to express my deep concerns about the Austin Parks and Recreation Department's pending decision on the leash law in Stacy Park. I have been involved in the issue for several months now and have discussed it with opponents of the leash law, numerous residents of the Travis Heights neighborhood, members of the executive committee of the South River City Citizens neighborhood association, members of the Parent-Teacher Association at Travis Heights Elementary School, employees of the PARD, Little League coaches who use Stacy Park, and numerous other folks who have a direct interest in the PARD's decision about the leash law in Stacy Park.

In my discussions with all of these people, I **have found an overwhelming opposition to making Stacy Park leash-free, at any time or any place.** I have talked to dog owners who are afraid to take their dogs to the park because of the unleashed animals. I have heard from joggers who no longer run in the park because they are chased by unleashed animals. Elderly people have told me that they no longer feel comfortable walking in the park because of the unleashed pets. I have talked to parents who no longer take their children to the park because of the unleashed animals. School kids have told me they are afraid to walk through the park because of the unleashed pets. And homeowners are sick of having their yards trampled and used as a toilet by animals who run across the street to their property.

I've been taking a petition around the neighborhood to reinstate the leash law, and my experience has been that **for every one person who is opposed to the leash law, at least 10 people support it,** and this is a conservative estimate. Here's why so many people are opposed to making the park leash-free:

- Stacy Park is a small inner-city neighborhood park with an elementary school, softball fields, a neighborhood swimming pool, and two playgrounds.
- Stacy Park is a narrow park that winds through a residential neighborhood, with houses close in on both sides.
- The city has 10 other leash-free parks and 10 parks being considered for a leash-free designation. Not one of these parks has the same characteristics as Stacy Park, and none of them are neighborhood parks. (See enclosed list.)

You are asking me to allow a dog to run off-leash in the park, and I am not willing to do that. Allowing dogs in the park off-leash

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May 15, 1994

limits others' ability to comfortably and safely use the park. Austin has numerous parks with leash-free areas, and Stacy Park should not be added to that list. The city council adopted a leash law for good reason and exceptions to the leash law should not be made lightly. Requiring dogs in Stacy Park to be on a leash enables everyone -- pets, their owners, and anyone else -- to use the park in a safe, controlled environment.

I am enclosing an article that recently appeared in the *Dallas Morning News* that clearly shows the liability being incurred by the city if Stacy Park is made leash-free. I would also like to add that the Texas Parks and Wildlife Department requires animals to be on a leash in our state parks, where there's certainly a lot less traffic and a lot more room than you'll find in Stacy Park. I also understand that the National Park Service requires all animals to be on a leash. I am in the process of conducting a study of leash laws in other Texas cities as well.

I hope that you will seriously consider the ramifications of making Stacy Park leash-free. I believe it would inhibit the usefulness of the park for the overwhelming majority of people who live here and want to use the park throughout the day. One of the leash law opponents recently said that the only people you see in the park these days are the ones with their dogs off-leash. I think that is a telling statement, particularly for a park that has traditionally been well-used and loved by the people who live here.

Sincerely,



Merrell Foote

Enclosures

cc: **Austin City Council Members**
Austin Parks and Recreation Board Members
Mike Heitz, Director, Parks and Recreation Department
Charlie Beaman, Director, Animal Control

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MAY 17 1994

Park Areas Currently Leash-Free (in addition to Stacy Park)

1. Auditorium Shores from South First Street west to Bouldin Creek (new site that is less heavily used being proposed)
2. Zilker Park soccer fields (new site that is less heavily used being proposed)
3. Far West Boulevard right-of-way between Great Northern Boulevard and Shoal Creek Boulevard
4. Surplus Robert Mueller Municipal Airport land, bounded by Old Manor Road, Manor Road, the airport fence, and Lovell Drive
5. Red Bud Isle east of Red Bud Trail
6. Onion Creek District Park south of Chunn Road
7. Northeast District Park, bounded by Decker Lake Road, Crystal Brook Drive, and Missouri-Kansas-Texas Railroad right-of-way
8. Walnut Creek District Park, bounded by Cedar bend Drive, Walnut Creek, and park fences on west and east sides
9. Lake Austin Metropolitan Park, bounded by Park Drive, park fence on west side, Turkey Creek, and top ridge of bluff line that overlooks Lake Austin
10. Shoal Creek Hike and Bike Trail from 24th Street to 29th Street

Park Areas Being Proposed as Leash-Free

1. Onion Creek Greenbelt, east of I-35 and south of William Cannon
2. Mary Moore Seewright Park, off Slaughter Lane between 1st Street and Congress
3. Portion of Festival Beach
4. Rosewood Park, east of the railroad tracks
5. Boggy Creek Greenbelt in east Austin
6. St. Edwards Park at Loop 360 and Spicewood Springs
7. Old Disch Field, between Bouldin Avenue, Dawson, Barton Springs, and the city coliseum
8. Foster Tract of the Barton Creek Greenbelt
9. Dick Nichols Park in Oak Hill
10. Zilker Park Old Firing Range on Rollingwood Drive

Man wins unleashed-dog case

Award should be message to pet owners, lawyer says

Associated Press

HARLINGEN, Texas — A jury award of \$1.8 million to a man injured when a dog darted in front of his bicycle should be a warning for pet owners, the winning attorney said Wednesday.

"Dogs are not intelligent creatures, and the owners are responsible for what they do," said Rene Oliveira. "I don't think it's right for people to have to walk around their community with golf clubs and sticks because they fear being attacked by unleashed pets."

Mr. Oliveira's client, Joe Smith, 60, won the case Monday in Cameron County District Court in Brownsville for the run-in with a 16-pound Shih Tzu named "Simon" more than four years ago in Port Isabel.

Simon was unharmed in the accident, but has since died. Jurors were shown a picture of the white

canine with a blue bow tied on its head.

"The size of the dog or how cute it might be didn't have anything to do with the violation of the law that occurred," said Mr. Oliveira, a Democratic state representative from Brownsville.

Mr. Smith believed that the dog was attacking him, causing him to lose control of the bicycle and crash, his attorney said. Doctors testified that Mr. Smith's knee now looks like a "jigsaw puzzle," requiring a total knee and joint replacement.

The damages were split evenly between the pet's owners, Pat and Charles Steele, and the Outdoor Resorts and South Padre Island Homeowners Association.

The verdict was based on the homeowner association's own leash rules, which Mr. Oliveira maintained were never enforced. He also

cited a leash law in Cameron County that requires pet owners to have control of their animals.

Jurors awarded Mr. Smith \$1 million for pain and mental anguish, \$660,000 for loss of physical ability, \$73,000 for medical bills, and \$50,000 in punitive damages.

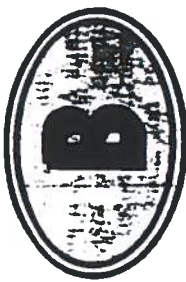
Mr. Smith's wife, Ann, was awarded \$50,000 for loss of such things as household help, companionship and sexual affection, according to court documents.

Mrs. Steele declined to comment publicly. She referred questions to her lawyer, Bob Spann, who wasn't in his office Wednesday.

Mr. Oliveira said the defense told him it will appeal.

"We would have settled, and we attempted to settle, for a lot less," Mr. Oliveira said. "They would never offer more than \$100,000, which wouldn't even cover the man's expenses."

Thursday,
April 14, 1994



CITY & STATE

Austin American-Statesman

Leash law ends 'happy hour' for dogs

By Rebecca Thatcher
American-Statesman Staff

About a dozen Travis Heights residents — galvanized by the death of a neighbor's dog after an attack by an unleashed Rottweiler — gathered Wednesday at their neighborhood park to protest dogs' running loose.

Since December, some pet owners in the community have gathered each evening at Stacy Park for "dog happy hour," so named because dogs were taken off leashes and allowed to run free.

The City of Austin had allowed

the activity after approving Stacy Park as one of its "off-leash" zones upon receiving a petition asking for the designation last July.

On Wednesday, that permission was rescinded by parks department officials, who had received numerous complaints from people saying the loose dogs were a nuisance.

The death of Roy and Janet Smith's 3-year-old dog after being attacked by an unleashed dog on April 3 might have been the final straw.

The Smith's dog, Brandy, a large Japanese breed known as

Akita, was on a leash at the time of the Rottweiler's attack. The next day Brandy had to be put to sleep, said Parks and Recreation spokeswoman Jody Hamilton.

Janet Smith said what happened to Brandy was one of many incidents that prompted her to argue for reinstatement of the leash law.

"We've always had confrontations in this park. It's not about her being attacked," Smith said.

"The fact is there's a lot of people allowing their dogs off leash that shouldn't... We've had other instances where people have been knocked down and chased."

Sue Snyder, another Travis Heights resident in favor of leash laws, said she has taken to carrying a can of Mace on her walks around the neighborhood.

Another protester, Merrell Foote, said Stacy Park is unsuitable for loose dogs because it is the playground for Travis Heights Elementary School. Children have become terrified of the multitude of loose dogs running through the park, she said.

A few hundred feet away, a group of dog owners who usually let their dogs romp free kept most of their dogs on leashes —

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unsure of what to do.

Bruce Selcraig, the only pro-leash person to bring a dog to the protest, said it was a typical Austin conflict.

"It's all tied into the Austin mystique. The idea of letting your dog run free... is all tied into that," he said. "People have got to realize that your dog is a real threat to a small child."

The city's leash ordinance, which requires that dogs be on a leash no longer than 6 feet, was reinstated Wednesday by Parks and Recreation. Director Michael Heitz while members of the neighborhood association try to work out a compromise, Hamilton said.

Foote dismissed the idea of a compromise, saying she plans to circulate a petition to reinstate the ordinance in the park. She said the petition will reinforce the desire of those who oppose the "off-leash" zone in Travis Heights.

"When there was a leash law, you could call and complain," she said.

Foote said pet owners who wish to let their dogs roam free should

look elsewhere. "What I challenge them to do is find an area... that is not heavily used by children and adults."

Signs advising park users that the ordinance has been reinstated had not been posted Wednesday. That will take a day or so, Hamilton said.

Anti-leash pet owners said they hated to think that their enjoyment was going to be ruined by the few irresponsible dog owners who cannot control their canines.

"I think it's inconsiderate of dog owners not to put dogs on a leash when small children are around," said John Baird, as his two crossbred dogs wound around him on retractable leashes. "I think the solution is for people to have a sense of community."

Amy Graziano, whose dog also was on a leash, said she hoped for a compromise. "Whether or not there is a law, stupid people will have vicious dogs," she said.

The neighborhood association, the South River City Citizens, has members who are on both sides of the issue, Hamilton said. The group is going to try to come up

On a leash:

The City of Austin requires dog owners to confine their dogs to their property or keep them on leashes under 6 feet in length. Violation is a Class C misdemeanor with a maximum fine of \$200. The City has designated nine areas as "off-leash" zones. Dog owners are still required to maintain control, by command, of the animal.

■ Auditorium Shores from South First Street to Bouldin Avenue.

■ The soccer field area of Zilker Park.

■ The Far West Boulevard right of way between Great Northern Boulevard and Shoal Creek Boulevard.

■ Red Bud Isle.

■ Onion Creek District Park, south of Churn Road.

■ Northeast District Park between Crystalbrook Drive, the railroad right of way and Decker Lake Road.

■ Walnut Creek District Park between Cedar Bend Drive, Walnut Creek, and the east and west park fences.

■ Emma Long Metro Park, between City Park Drive, the west park boundary fence, Turkey Creek, and the top ridge of the bluff line overlooking Lake Austin.

■ Shoal Creek Hike and Bike Trail from 24th to 29th streets.

Source: City of Austin

Staff graphics

with a compromise that will be satisfactory to both sides, Hamilton said.

Now that the ordinance has been reinstated, park police will enforce the ordinance at Stacy Park, Sgt. Harry Kelton said.

"The first thing we'll do is educate and try to get voluntary compliance," he said.

Dog owners who refuse to put leashes on their dogs can be cited, he said. The maximum fine for the Class C misdemeanor is \$200.

May 11, 1993

Michael J. Heitz, AIA
Director
Parks and Recreation Department
City of Austin

Dear Mr. Heitz:

As you are aware SRCC has attempted to find a compromise between the Dog Happy Hour folks and the folks who want dogs leashed at all times in Stacy Park. This issue has created heated debate and polarized factions of our neighborhood. SRCC has experienced a sizable influx of new members in the last month because of this. SRCC's position is to help find a way to facilitate this new use of the park without compromising the safety of other park users.

In an effort to find middle ground, ~~we assigned a committee to find a workable solution.~~ This committee looked at the entire park and discussed many situations and included Mike Von Wupperfeld as PARD's representative. Enclosed are meeting minutes from our Committee. ~~Their recommendation was to fence off the north ball field in Stacy Park.~~

The committee's information was presented at our regular executive committee meeting on May 4. As you suggested, I also announced the PARD Board meeting where this issue would be on the agenda. We then held discussion in which everyone was given two minutes to make comments on the committee's decision. Key points while people spoke were:

- protection from other activities/people in the park if dogs were to be off leash
- many suggested that it be posted that owners must clean up after their dogs. A trash can and scooper would need to be provided. (There is already a trash can at the site chosen by the committee.)
- a time after work for Dog Happy Hour was asked for

- most people were in favor of the designated area the committee recommended (see committee minutes and the sign up sheet.)

After the discussion, we took suggestions from the floor on what we would vote on, this proceeded as follows:

The first motion was

- The committee's ball field area to be posted as leash free and fenced, and we would work with PARD on the details.

This had a friendly amendment of posted leash free hours.

versus the second motion,

- Leashes always required.

The first motion passed 57 to 24.

Then there was another vote taken.

The first motion was

- The Committee's ball field area to be posted as leash free, fenced and to work out the details with PARD

versus the second motion ,

- Posted leash free hours for the whole park with the exception of Little Stacy Park.

The second motion passed.

The executive committee has some reservations about the conditions of having leash free hours posted for the whole park.

- That this does not attract a disproportionate number of dogs from out of the neighborhood.
- That the play area of Travis Heights Elementary School be protected.
- That signs be adequate and give a phone number to report unattended dogs.
- That hours not interfere with other activities in the park.
- That PARD try this situation for a six month period and then review the situation.

[REDACTED] develop criteria for leash free areas with [REDACTED], as soon as possible. This would help prevent other neighborhoods from going through this painful process.



1994

Sincerely,

A handwritten signature in black ink that reads "Susan J. Barnett". The signature is fluid and cursive, with the first name "Susan" and last name "Barnett" clearly legible.

Susan J. Barnett

President

South River City Citizens

516 East Live Oak

Austin, Texas 78704

wk: 499-2458

hm: 445-0869

cc:

Phil Friday

Marilyn Butcher

Merrell Foote

S.R.C.C. STACY PARK LEASH LAW TASK FORCE
(a.k.a. Dog Control Regulations Assessment Party)

Minutes of Final Meeting - April 26, 1994
by Guy LeBlanc

Present: All task force members (see list) except Rhonda Hewlett. (Note: M. Foote said that R. Hewlett had called me and said she would not be at this meeting. I stated for the record that I had received no such call or message.)

Also present was Mike von Wupperfeld, at our request, from the Parks Dept.

Approval of Minutes: From 4-17 meeting. Approved unanimously, with following two changes: M. Foote stated that the word "enforceable" should be added to the statement listed as her suggestion number two. P. Burton requested the deletion of the second sentence under "General Observations", claiming that other solutions were mentioned.

The main purpose of this meeting was to get MvW's input as to the feasibility of the various solutions we had previously discussed, especially as pertaining to fencing of parkland. Another goal for this meeting was for all members to compromise enough for all to agree upon one solution, if at all possible. Members had been informed previously that this was to be the last of two scheduled meetings. A deadline of May 3 was requested by S.R.C.C., (less than one month from when they were first informed of the existence of this problem).

The bulk of the meeting consisted of an informal Q&A sessions with MvW, in which all members participated, asking questions and offering comments and suggestions. Some of the more pertinent statements made by MvW were:

"Stacy is an 'inner city' park" and "is considered a 'neighborhood park' by CoA". (This is as opposed to two other types of parks he named, "district" and "metro" parks.) He said that because of this, the opinion of the neighborhood association would be given more weight than the opinion of those outside the neighborhood when deciding park policy.

Regarding our primary questions as to the feasibility of fencing, MvW said that it was certainly allowable, and that there were two main concerns to fence erection in or around parkland: "Financing" and "Philosophical". He said that there was currently no line item allotment of funds for such a fence, but that citizen purchase was allowable. He cited examples of other fixtures on city land purchased directly by citizens. He said a very rough estimate of fencing cost would be \$12.00/ lin. ft. for 4 ft. high, vinyl coated chain link, and explained that such projects are usually subbed out. (I measured one area that seemed agreeable to the majority of the task force as approx. 150 ft.)

MvW then went into further depth regarding the philosophical arguments associated with fencing parkland. This led to discussion of the exact area where we were meeting, described as area #7 in my last meeting report (the north ballfield). M. Foote considered this a high use area of the park, other members felt it was not as high use as most. I offered that due to the small size of the park, there were no unused areas of the park, and that in the spirit of compromise we should agree upon an area of least use. The issue of conflicts with ball players was discussed, and MvW explained that this particular field was not a reservable field by Parks Dept. standards. He also believed that due to the small size of the field, fencing it off for an off-leash area would necessitate the area having priority for that use.

MvW suggested posting the area as off-leash first to see if this solved our problem, before considering fencing it. Consensus of task force seemed to be that this would probably not work. I asked P. Burton to reiterate the approx. times for "Doggy Happy Hour". She said 5 p.m. til dark in winter; 6 p.m. til 8 p.m. in summer.

After a little more general discussion, I explained that I would like to give MvW the

opportunity to enjoy the rest of his Sunday evening, and would like the task force to excuse him from any further questions if he wished to leave. He chose to leave at that time, and was thanked by all members of the task force for his time and information.

At that point it was getting very dark, and I suggested that we attempt to achieve our ultimate goal of deciding whether or not we could agree upon an area suitable for an off-leash area. It should be noted that two S.R.C.C. members were chosen to be on the task force to avoid the seemingly inevitable occurrence of a single member being the deciding vote on an otherwise divided task force.

Because we had looked at at least eight different areas, and several options for controlling dogs in each of those areas, it would have been possible to have voted on over two dozen possible solutions. It was my opinion that only two of these numerous options were likely to receive a majority of the task force's votes, and so in the interest of brevity I offered the two following options for members to vote on.

Option #1: That the area described as #8 in last report (by entrance to Little Stacy) be fenced off and posted as a leash free area during certain hours. Posting to include current ordinance requirements for owners to clean up after their dogs.

Discussion: P. Burton explained that although she had stated during our previous meeting that this would be a suitable area, she had added that this was only her opinion, and that after meeting with other dog owners, she could no longer support this area as the designated off-leash area.

M. Foote asked that R. Hewlett be allowed to vote at a later time. It was unanimously agreed. (see note at end of report)

Vote on Option #1: One "YES" vote. (M., Foote)

Option #2: That area described as area #7 in last report (near the ballfield) be fenced off and posted as a leash free area during certain times. Posting to include current ordinance requirements for owners to clean up after their dogs.

Discussion: M. Foote reiterated her concerns about this area, considering it as too high a use to fence off. After some debate amongst members, I asked M. Foote if any conditions would make area #7 acceptable to her for use as an off-leash area. She responded "No."

Vote on Option #2: Four "YES" votes. (P. Burton, S. Skiles, R. Barrera, G. LeBlanc)

This basically concluded the meeting. One related issue was discussed as described below. M. Foote requested that we vote on whether or not to ask PARD to post the park prior to any changes being made. I said that I did not wish to spend time on this since it was secondary to our task, but I assured her that her request for such postings would be made in this report and that I would recommend to S.R.C.C. that they make this request of PARD. I further suggested that M. Foote could put up such postings herself if she desired. S. Skiles advised that this would not be legal. ~~There was no announcement made by the task force regarding this request.~~ There was no specific objection to this by any task force member.

Later that same evening, R. Hewlett contacted R. Barrera, who summarized the meeting for her and asked how she wished to vote on the two options. Ms. Hewlett said that she would need to consult with some other people and would need more time to make a decision. As of today, May 5, I have not been contacted by Ms. Hewlett. I suggest that she has been given more time to make her decision than anyone else on the task force had. I regret that I must submit this report without her input.

Submitted 5-3-94,

Guy LeBlanc, chairman

S.R.C.C. STACY PARK LEASH LAW TASK FORCE
(a.k.a. Dog Control Regulations Assessment Party)

Meeting Report - April 17, 1994
by Guy LeBlanc

Present: All task force members (see list) except Silvie Skiles.

Meeting took place in Stacy Park. Task force walked entire park while discussing concerns, possible solutions, possible compromises, and most feasible areas for a leash-free area. Afterwards, each member (besides S.R.C.C. reps) was asked to voice their concerns and/or desires.

Poppy Burton went first, reading from a list of various suggestions she gathered from others who bring their dogs to the park. These suggestions were:

- 1) Entire park leash free at all times.
- 2) Entire park leash free early a.m. and early p.m. and posted as such.
- 3) Part of park leash free at all times and posted as such.
- 4) Part of park leash free at certain times and posted as such.
- 5) Part of park fenced and posted as leash-free.
- 6) Any designated area have access to water and be away from streets or fenced.

Representing the "pro-leash" people, Rhonda Hewlett and Merrell Foote spoke.

Merrell Foote:

- 1) Area be safe and fenced.
- 2) Area be "definable and confinable".
- 3) Area be one that is rarely used by other park users.

Rhonda Hewlett added:

- 1) Safety of children is priority; especially while going to & from, or at, school.
- 2) Better enforcement of owners picking up dog feces.
- 3) Area be fenced and be the only area where dogs are allowed off leash.

AREAS EXAMINED:

We looked particularly closely at eight areas in the park to debate their suitability as a leash-free area. Each area was considered under the assumption that fencing it off was an option. This seemed to be the automatic inclination of all the members present: that any leash-free area would be fenced. It was further agreed that Parks Dept. would have to be consulted to see if fencing would even be allowed, and if so, what it would entail.

Area #1: In the very southeast corner of the park, at E. Live Oak and Alta Vista. This area is of very low use, but would require extensive fencing, has no access to water, and is very close to high use pool area and future school playground.

Area #2: Just downstream of pool discharge and bridge, bordering creek. Would require moderate amount of fencing. May be a frequent use area, especially by kids.

Area #3: East of baseball area in middle of park, on east side of fence on the creek bank. Moderate amount of additional fencing needed. Adjacent bridge is one mainly used by school. Also not currently a mowed area. May require extensive maintenance.

Area #4: Where "doggy happy hour" currently takes place. This was the largest area discussed, and is probably the highest general use area as well. It encompasses the

baseball area described above and is also the area used for school gym classes (which is where the greatest concern over feces is). During baseball season the "doggy happy hour" shifts slightly north to another area that is apparently of moderate to high use by general public. Dogs cross main walking trail to access creek. Extensive fencing required.

Area #5: Of unknown ownership east of Sunset. May not even be parkland. Dogs would need to cross street to access water. Extensive fencing required.

Area #6: Isolated flat piece of land between creek and Sunset, just south of Monroe. Nestled in a bend in the creek, this area would require very little fencing, and is very low use. One residence right across from area on Sunset.

Area #7: Baseball field east of Ivanhoe Apts north of Monroe. Would require at least moderate fencing, if not extensive. Could preclude further use as baseball field, or require some sort of use arrangement to resolve use conflicts.

Area #8: Just north of Ivanhoe Apts., across from bathrooms at "Little Stacy". Area is very isolated and would require little fencing and is apparently of low use. Access to creek and potable water. Seemed most promising to majority of task force.

GENERAL OBSERVATIONS:

As previously mentioned, a fenced area seemed to be considered the most agreeable solution. No solutions except a fenced area were discussed. If a fenced area is not possible for whatever reason, we will need more time to achieve compromise.

It was also generally agreed that all areas outside of any designated leash-free fenced area would be leash-required.

The issue of poor compliance with currently existing law requiring dog owners to clean up their animals' feces has been brought up by just about every person I have talked to regarding this whole issue. The task force members saw it as a related issue which also needs resolution.

The task force members recognized that there are different groups of unleashed dogs in the park. We identified three basic groups: those with no owners in attendance at all; those with owners in attendance who are not part of the "doggy happy hour", and those at the "doggy happy hour". We recognized further that any solutions recommended by this task force cannot be expected to completely resolve the problem of dogs running loose in Stacy Park.

Submitted April 17, 1994

Guy LeBlanc, chairman

S.R.C.C. STACY PARK LEASH LAW TASK FORCE
(a.k.a. Dog Control Regulations Assessment Party)

S.R.C.C. Representatives:

Guy LeBlanc	1703 Drake Ave.	445-6051	
Rene Barrera	1301B St. Edwards Dr.	443-4976 hm;	453-1111 wk

"Pro-Dog" Representatives:

Poppy Burton	2209 La Casa	443-1269	
Sylvie Skiles	804 Christopher	462-2742	

"Pro-Leash" Representatives:

Merrell Foote	1709 Alta Vista	441-2849 hm;	463-1282 wk
Rhonda Hewlett	204 Pickle	443-2541	

SRCC
May 4, 1994

Leash Free Issue

I would like to talk (2 minutes)

NAME

STREET ADDRESS

1	Jerry Hill	1803 Sylvan	(41)	442-0955
2	Shenan Hulett	204 Pickle Rd		443-2511
3	VIVIAN Heine	Eastside		444 8808
4	John G. G. G. G.	400 Leukhart Dr		444 0503
5	Lypita Johnson	2200 Alta Vista		447-7797
6	Noel Gonsalves	See membership list		441-0784
7	Laughlin Gristen	1405 Alameda		462-3619
8	Nolan Axford	See membership list		
9	DAVID SWANN	2706 LITTLE JOHN LANE		447-6094
10	Chip McElroy	1500 Newbury		447-0107
11	Doug Linton	2107 A Bracken Ln		441-4911
12	Karen Morton	1400 C Alameda		416 1036
13	Roy Smith	1514 ALAMEDA		442 4666
14	VALERIE YANDELL	207 E. ELIZABETH		443 7823
15	HELENE ALTHOLZ	2101 ALAMEDA		442-4825
16	Joe Arriaga	1110 Woodland		441-5037
17	Susanne Friskman	1211 Bickler Road		443-2165
18	Shahi Gonsalves	See membership list		444-0784
19	Sarah Campbell	1201 Woodland Ave.		462-2261
20	Joan	307 Rutherford Pl		707-7700
21	Chris Shields	1410 ALAMEDA		462-1792
22	Connie Todd	1403 South Cong. Av		443-5861
23	Menell Toote	1709 Alta Vista		441-2849
24	Kathy Kempf	2212 Rebel Road		448 3016
25	W. C. W.	201 Bracken Dr		443-0897
26	LAUREN JAREN	708 E. Montef		444-6346
27	Nicole Bell	1105 Alameda		443-0077
28	Roma Smith	207 E. Elizabeth		443-2823
29				
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MEMORANDUM

TO: Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: May 19, 1994

SUBJECT: Arts and Recreation Subcommittee Appointments

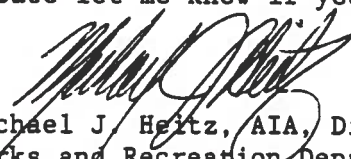
The Parks and Recreation Board is required by ordinance annually to appoint three members to serve on the Arts and Recreation Subcommittee. The Subcommittee serves as the appeals panel for cultural contractors appealing the Arts Commission's funding recommendations. It is composed of seven members, three members of the Parks and Recreation Board, three members of the Arts Commission, and one at large member appointed by the City Council.

The Arts Commission expects to make funding recommendations by July 18, 1994. Once the deadline for filing appeals has passed, the Subcommittee will then meet to review the filed appeals and conduct a hearing on granted appeals. The Subcommittee will have an orientation on June 30, 1994. The appeal and review hearings are currently scheduled for August 1 and 2. It is necessary for the Parks Board representatives to be present at all three meetings for there to be a quorum. Last year 11 appeals were filed, 9 heard and all forwarded to the Commission and Council.

Parks Board members who served last year were ErmaLinda Cruz-Torres, Phil Friday, and Ron Cartlidge. This year the Arts Commission has appointed Valerie Menard, Sharon Watkins, and Bruce Willenzik as their representative to the Subcommittee. The Council representative is Leslie Pool.

To facilitate this process, I recommend that the Parks and Recreation Board elect representatives to the Arts and Recreation Subcommittee at the May 24 meeting.

Please let me know if you need additional information.


Michael J. Heitz, AIA, Director
Parks and Recreation Department



MEMORANDUM

TO: Parks and Recreation Board Members

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: February 8, 1994

SUBJECT: Approve Concept of Barton Springs Road Underpass

The August 1992 Bond Election included funding to construct a pedestrian walkway under the Barton Springs Road bridge. Currently, the trail along Barton Creek terminates at Barton Springs Road. Trail users must cross the road without the aid of a formal crossing. The miniature train passes under Barton Springs Road on a narrow bridge from which pedestrians are prohibited.

The CIP project approved in the 1992 Bond Election is to construct a pedestrian walkway under the Barton Springs Road Bridge, parallel to the train bridge. The underpass will be a 6'-8' wide surface with appropriate railings, supported by concrete piers drilled into the west bank.

The structure will be designed to comply with all watershed and City Code requirements, and will be processed by all review authorities. The underpass is in the Town Lake watershed, therefore it is not subject to the SOS ordinance. The concept has been reviewed and verbally approved by the Environmental and Conservation Services Department.

In compliance with the Board's review procedures, the design will be brought to the Board for Schematic and Design Development approval.

Please contact me if you require additional information.



Michael J. Heitz, AIA, Director
Parks and Recreation Department

MEMORANDUM

TO: Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: May 18, 1994

SUBJECT: Zilker Park Miniature Train Bridge

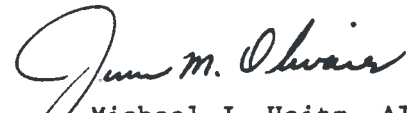
As we agreed, I asked the City's Risk Management Section to evaluate the proposed joint use by the Zilker Eagle and pedestrians of the miniature railroad bridge running under Barton Springs Road. In summary, their response (attached) finds that the bridge is not designed for pedestrian traffic and joint use could lead to a tragic accident.

Their concerns are:

- . limited sight path for the train operator when approaching the bridge from the south
- . pedestrians may not be able to get out of the train's way quickly enough to prevent injury
- . enforcement to limit access to pedestrians only will be difficult; bicyclists, pedestrians with strollers or wheelchairs trying to use the area would have a more difficult time getting out of the train's way rapidly.

Risk Management recommends a separate bridge or path be constructed for pedestrian traffic, possibly adjacent to the present bridge. In addition, they urge that every attempt be made to discourage joint use, including installation of signs warning of the hazard to pedestrians, until such time as a safe alternative is available.

I concur with their recommendation.


for. Michael J. Heitz, AIA, Director
Parks and Recreation Department

MEMORANDUM

TO: Mike Von Wupperfeld, Department Safety Liaison (DSL), Parks and Recreation Department

FROM: Robert R. Mason, City Safety Manager, Human Resources Department

DATE: May 12, 1994

SUBJECT: Zilker Park Miniature Train Bridge

This memorandum is in response to the proposed joint use by the train and pedestrians of the miniature train railroad bridge that runs under Barton Creek Road. The miniature railroad bridge is not designed for pedestrian traffic, and joint use could ultimately lead to a tragic accident.

FINDINGS

When representatives of the City Safety Office visited the area on April 20, 1994, we found that the bridge has a limited sight path for the train operator when approaching the bridge from the South (heading north). Pedestrians trying to cross the bridge could easily be caught approximately half way across the length of the bridge when the train enters the bridge tunnel.

This would create a hazard for the pedestrian(s) and train passengers alike. The pedestrian may try to outrun the train and exit the bridge before coming in contact with the train. This may not be feasible due to reflex time on the part of the pedestrian.

It would be a very difficult task to enforce limiting traffic to only pedestrians. Bicycles, wheelchairs, strollers, etc., would also try using the bridge and would have a difficult time getting out of the way of the oncoming train.

RECOMMENDATIONS

Recommend that a separate bridge or path be constructed for pedestrian traffic that meets or exceeds ADA standards. This could be constructed adjacent to the present train bridge and possibly tied into the present structure. An engineering assessment is recommended prior to any construction due to the load limits of the structure and the type of terrain under the Barton Springs Road bridge.

Page 2

Also recommend that signs be posted to prohibit any traffic on the train bridge other than the train and warn of the dangers of using the bridge for any other purpose.

Until alternative measures are put in place to accommodate pedestrian and other traffic, every attempt should be made to discourage joint use and thus, eliminate the potential for accidents.

If you need further assistance or if I can answer any questions, please contact me at 499-3400.

Robert R. Mason
City Safety Manager
Risk Management Division
Human Resources Department

xc: Galloway Beck, Assistant Director, Human Resources Department
Sheila R. Stuckey, Risk Manager, Human Resources Department
Melvin L. Penson, Senior Safety Specialist,
Human Resources Department



MEMORANDUM

TO: Parks and Recreation Board Members

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: May 5, 1994

SUBJECT: Improvement Agreement for Norwood Estate

On April 27, 1989, the City Council passed a resolution (Attachment A) reserving the Norwood Estate - located at the northwest corner of Riverside Drive and IH 35 - for a 5-year period for the Women's Chamber of Commerce of Texas (WCCT) to make property improvements including the following: relocation and renovation of the house; renovation of the grounds; and creation of a sculpture garden. By April 1993, the WCCT had raised adequate funds to hire an architect to execute a plan for the proper relocation of the house. Several months later, on the basis of WCCT's commitment to continue and complete the project, PARD began discussions on a formal agreement.

The main points of the proposed "Parkland Improvement Agreement" include a term of five (5) years which may be extended on an annual basis as necessary to complete the Improvements. Improvements include relocation and restoration of the house, restoration of the grounds, and creation of a sculpture garden. The Improvements are divided into six phases to be completed sequentially within certain years (see Attachment B). The last phase is development of the sculpture garden, which is seen as an ongoing endeavor, and therefore has no completion date.

All costs of the Improvements will be borne by WCCT. Each phase of the Improvements must be approved by PARD prior to commencing work. WCCT must show substantial progress in completing all Improvements on schedule before the City shall grant extensions to the term of the Agreement.

Parks and Recreation Board Members
Norwood Estate
May 5, 1994
Page 2

The Improvement Agreement will have an exhibit entitled "Norwood Estate Sculpture Garden Maintenance, Operation and Improvement Agreement" (Operation Agreement), to govern the property after the Improvements have been completed and accepted by the City. This Agreement is based on the City's operation agreement with the Friends of the Umlauf Sculpture Garden. The term is for 10 years, but may be extended for two additional periods of up to ten (10) years each.

PARD will assume standard maintenance and operation responsibilities (equivalent to other PARD facilities) for Norwood, upon annual approval of such duties in PARD's operating budget.

WCCT will assume responsibility for all other maintenance and operations including but not limited to all specialized horticultural and grounds maintenance, operation of the Visitors' Center (in the house), special security to protect the outdoor sculptures, and public information costs. WCCT would also manage, operate and program the Garden to exhibit sculptures, stage events and exhibits, and schedule the facility for special meetings or events.

The Garden will be open to the public, and its hours and fees subject to annual approval by the City. WCCT may make further improvements to the facility only upon written consent from the City. WCCT must follow the City's policies and procedures for acquisition and loan of public artwork, and shall assign ownership of all acquired artwork to the City.

Revenues generated from operation of the Garden shall be used by WCCT to meet operational and maintenance expenses, and for further improvements. Revenues will be deposited in a special account, and WCCT shall make regular accounting reports to the City.

There are no estimated operation and maintenance costs for the restored house and grounds at this time because the project is so conceptual. However, at the request of the Land and Facilities Committee, and for very general comparative purposes only, I am providing the following operating costs for the Umlauf Sculpture Garden.

Parks and Recreation Board Members
Norwood Estate
May 5, 1994
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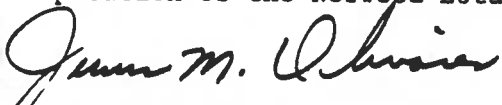
	1993 Actual Costs	1994 Estimated Costs	1995 Proposed Costs
City of Austin	\$46,832	\$50,344	\$50,344
Umlauf	85,821	90,119	94,651
Total	\$132,653	\$140,463	\$144,995

City of Austin budget: 100% General Fund

Umlauf budget: 34% Interest from Endowment Fund
32% Income from reservation fees
20% Income from admission fees
14% Grants

Following Board action, this item will go before the City Council; they will be asked to authorize the Department to negotiate and execute the proposed agreement.

RECOMMENDATION: I request your approval to negotiate and execute this proposed agreement with WCCT for improvements to and operation of the Norwood Estate.


for Michael J. Heitz, AIA, Director
Parks and Recreation Department

MJH:sc

ATTACHMENT A

R E S O L U T I O N

WHEREAS, the Town Lake Comprehensive Plan, adopted by resolution of City Council April 14, 1988, envisions the preservation and development of Town Lake Park being accomplished primarily through the generosity of private organizations; and

WHEREAS, the Norwood Park land, better known as the Norwood Estate, is of historic and architectural significance to the City of Austin, and is recommended for renovation in the Town Lake Comprehensive Plan; and

WHEREAS, the Women's Chamber of Commerce of Texas has expressed interest in raising funds to renovate the house and grounds, and to construct a sculpture garden dedicated to the women of Texas;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, or her designee, shall reserve the Norwood Park land, as identified in the attached Exhibit A, which is incorporated by reference for all purposes, for a period of five years for the following activities by the Women's Chamber of Commerce of Texas: ~~(a) the relocation and renovation of the Norwood House;~~ (b) the renovation of the Norwood grounds, in cooperation with the Texas Landscape Council; and (c) construction of a sculpture garden in honor of the women of Texas. A report concerning the status of the project shall be given to the Waterfront Planning Advisory Board and the Parks and

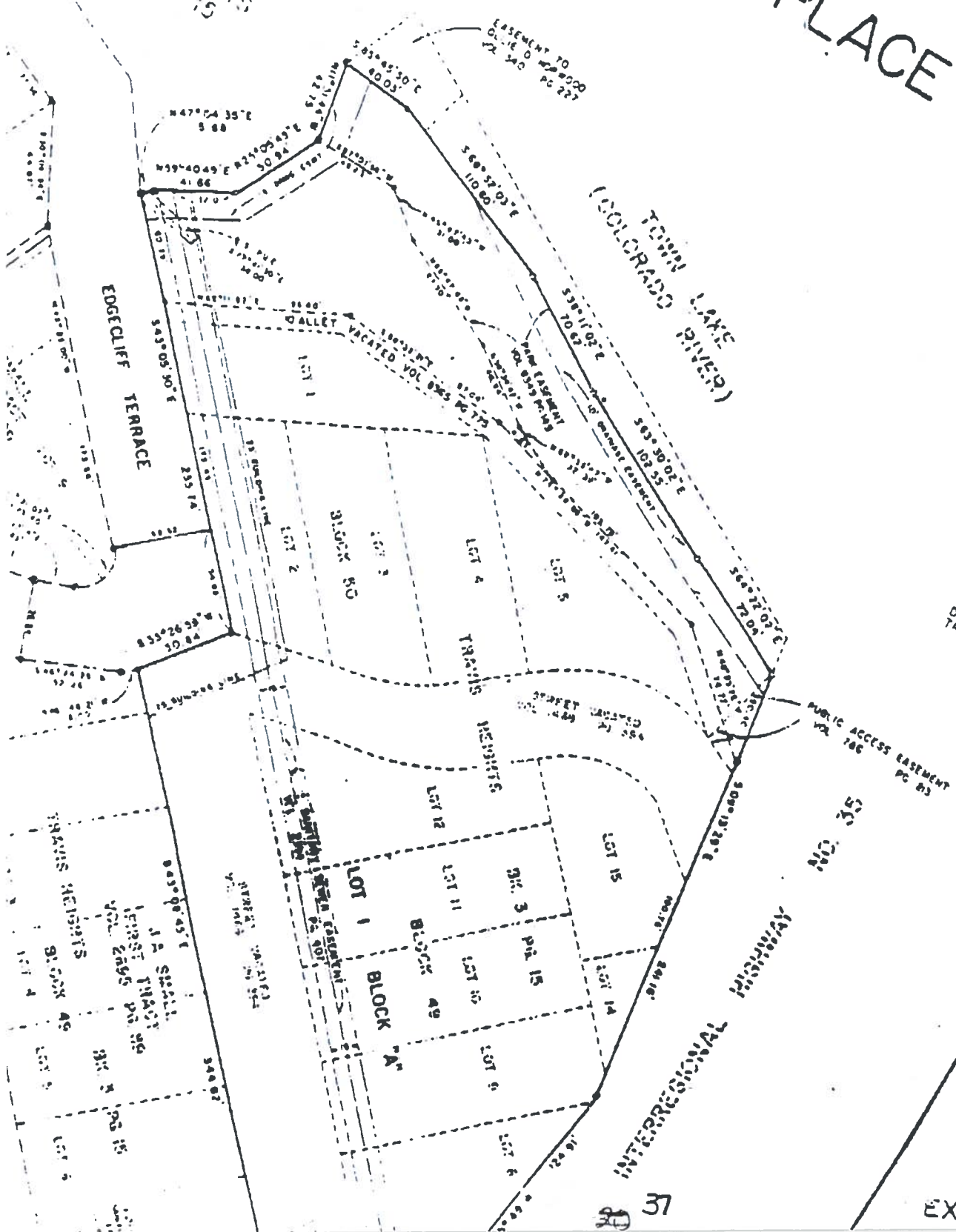
Recreation Board in October, 1989, and annually thereafter. If, at the end of five years, significant progress is judged by the City Council to have been made, then the City Council may direct that this reservation may be renewed by the City Manager or her designee.

ADOPTED: April 27, 1989. ATTEST: James E. Aldridge
James E. Aldridge
City Clerk

27APR89
SJH:rjn
#1944

NORWOOD PLACE

TRAVIS COUNTY
CLERK
1982
12-15-82
105 15



SCALE 1" = 50'
DECEMBER 1982
TRAVIS COUNTY, TEXAS

PUBLIC ACCESS EASEMENT
PG. 83

NO. 35

TOWN LAKE

RECEIVED

MAY 14 1993

PARKS AND RECREATION
CITY OF AUSTIN

EXHIBIT "A"

Original location
of house

NORWOOD

Parkland Property

3.08 AC

EDGECLIFF TERRACE

1.51 AC

*
Existing location
of house

* Transportation and Public Services Property

RIVERSIDE DRIVE

NORWOOD PROPERTY
Not to scale



ATTACHMENT B

NORWOOD IMPROVEMENTS

PHASES	COMPLETION YEAR
PHASE ONE: Historical research to determine technical specifications for relocation of house.	1994
PHASE TWO: Relocation of house	1994
PHASE THREE: Historical report for proper restoration of house and grounds as well as candidacy for National Register of Historic Places	1995
PHASE FOUR: Fundraising for next phase	1996
PHASE FIVE: Restoration of house and grounds	1998
PHASE SIX: Develop sculpture garden	Ongoing



MEMORANDUM

TO: Park and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: May 18, 1994

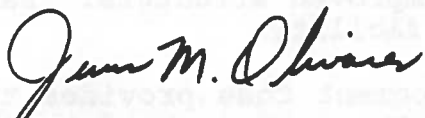
SUBJECT: Kennelwood Marina Improvements
1900 Scenic Drive

The existing marina at Kennelwood is being renovated. Richard Suttle Jr., on behalf of Sandy Gottesman, has submitted plans for the proposed improvements for the Board's information.

The marina is an existing legal non-conforming use, and the proposed improvements will be contained within the original footprint. Therefore, it is not necessary to obtain a site development permit, and the Board's formal approval is not required.

As you will note from Richard Suttle's letter, the renovation will provide structural and aesthetic improvements to the existing dock and it will be brought into compliance with the current navigation lighting requirements and other health and safety provisions of the code. The gasoline storage tanks that were on the site have been removed.

If I can provide you with any additional information, please let me know.

for 
Michael J. Heitz, AIA, Director
Parks and Recreation Department

MJH:pm

STRASBURGER & PRICE, L.L.P.

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May 13, 1994

HAND DELIVERY

Mr. Peter Marsh, Planner
Austin Parks & Recreation Dept.
200 S. Lamar Boulevard
Austin, Texas 78704

Re: Kennelwood Marina Improvement - 1900 Scenic Drive

Dear Peter:

Thank you for meeting with me and Sandy Gottesman to discuss the above referenced project. Enclosed is a site plan depicting the proposed improvements to the Kennelwood Marina on Lake Austin. The Kennelwood Marina is a legally non-complying, non-conforming use as those terms are defined in Section 13-2-331 of the Land Development Code. To the best of our knowledge, the marina has been in existence for over 40 years.

Sandy Gottesman has purchased the marina and proposes to improve it, both structurally and aesthetically. The proposed improvements will be contained within the original footprint of the marina and the use will not be expanded. It is contemplated that there will be fewer boat stalls in the improved structure. Sandy has also removed the gas tanks from the facility.

Section 13-2-344 of the Land Development Code provides that structures associated with a non-conforming use may be improved, enlarged, or structurally altered provided that the total cost of such improvement does not exceed 20% of the value of the structure prior to such improvement. Due to the poor condition of the existing marina and the extensive improvements Sandy wants to make, it is anticipated that the cost of the needed improvements will exceed 20% of the value of the existing structure. On April 11, 1994, the Board of Adjustment granted a variance to Section 13-2-344 of the Land Development Code to allow the value of the improvements to exceed 20% of the value of the structure.

May 13, 1994

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As we discussed, the improvement of a legal, non-conforming marina which does not expand the use or increase the size of the structure would not normally come before the Parks Board; however, we request that this project be placed on the May 24, 1994 agenda of the Board as an information item. We would like to make the Board aware of the improvements and show that the marina will be brought into compliance with the current navigation lighting requirements, as well as other health and safety provisions of the code.

Please review the enclosed plan for improvement and let me know if you have any questions or comments on the plan. We will be happy to meet with you and discuss any changes that you suggest. The plans indicate the existing footprint of the marina along with the proposed improvements which are contained within that footprint. As always, your attention to this matter is greatly appreciated and we look forward to the presentation to the Parks Board on May 24th.

Very truly yours,



Richard T. Suttle, Jr.

cc: Sandy Gottesman
Bob Liverman

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